

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
DAVIS ELECTRONICS, INC.)	
)	FCC File No. 9904A036934
Informal Petition Requesting Recission or)	
Modification of License Granted to Davis)	
Electronics, Inc.)	

ORDER

Adopted: December 11, 2000

Released: December 13, 2000

By the Chief, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

1. On October 5, 2000, Davis Electronics, Inc. (Davis) filed a motion for extension of time (Motion)¹ to respond to the informal petition (Petition) in the above-captioned matter filed by Louisville and Jefferson County Metropolitan Sewer District on September 25, 2000 (District).² Before the Commission could act on the Motion, Davis filed, on November 30, 2000, a Motion for Further Extension of Time (Further Motion).³

2. Davis states that the Petition raises several issues with respect to a license granted to Davis on July 22, 1999, for Station WPNX311.⁴ Davis notes that District states that it is experiencing harmful interference from Davis' use of frequency pair 452.675/457.675 MHz, for which District also holds a license for Station WPPE838.⁵ Further, District challenges the frequency coordination pursuant to which Davis' application was granted by the Commission and Davis' current use of the subject frequency pair, as well as the use of other channels.⁶ Attorneys for District indicate that they would not object to a limited extension of time.⁷

¹ Davis Electronics, Inc. Motion for Extension of Time (Motion) (filed October 5, 2000).

² Louisville and Jefferson County Metropolitan Sewer District's Informal Petition Requesting Recission or Modification of License Granted to Davis Electronics, Inc. (Informal Petition) (filed September 25, 2000).

³ Davis Electronics, Inc. Further Motion for Extension of Time (Further Motion) (filed November 30, 2000).

⁴ Motion at 1.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at 2.

3. In the Further Motion, Davis asks the Commission to extend the time to file a response for an additional sixty (60) days, to January 29, 2001.⁸ Davis states that District and Davis have initiated discussions to determine whether a mutually acceptable resolution of the matter is possible and both parties desire to continue such explorations during the extension period.⁹ Moreover, Davis adverts to the coming holiday season with its potential scheduling conflicts as an additional reason for the extension requested.¹⁰ District's attorney has not interposed any objection to the further extension of time.¹¹

4. While the Commission does not routinely grant motions for extensions of time,¹² we believe it is appropriate to give the parties some opportunity to attempt to resolve the matter. We believe, however, that extending the due date for a response until January 16, 2001 would give the parties a more than sufficient opportunity to explore possible settlement options. Furthermore, we believe it would be appropriate for the parties to file reports on the status of their settlement negotiations on that date. In view of the foregoing, we believe it is in the public interest to extend the due date for Davis' response until January 16, 2001.

5. Accordingly, IT IS ORDERED that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, the Motion for Extension of Time filed by Davis Electronics, Inc. on October 5, 2000, and the Further Motion for Extension of Time filed by Davis Electronics, Inc. on November 30, 2000, ARE GRANTED to the extent that the time for Davis to file a response to District's Informal Petition Requesting Recission or Modification of License Granted to Davis Electronics, Inc. is extended to January 16, 2001.

6. IT IS FURTHER ORDERED that on or before January 16, 2001, Davis and District shall file written reports with the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, describing their efforts to resolve this matter and the results of their settlement negotiations.

7. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

John J. Schauble
Chief, Policy and Rules Branch
Public Safety and Private Wireless Division
Wireless Telecommunications Bureau

⁸ *Id.* at 1-2.

⁹ *Id.* at 2.

¹⁰ *Id.*

¹¹ *See Id.* where Davis states: "Davis' attorney has been advised of and has raised no objection to this further extension." Apparently, Davis misspoke and meant to say: "District's attorney"

¹² 47 C.F.R. § 1.46(a).